

16086 U.S. PTO  
08/29/03

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No.: 04137.0003U2 First Inventor: NI <i>et al.</i> Title: DELIVERY OF PHYSIOLOGICAL AGENTS WITH <i>IN-SITU</i> GELS COMPRISING ANIONIC POLYSACCHARIDES Express Mail Label No.: EL992019708US		
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility application contents</small>		ADDRESS TO: MAIL STOP PATENT APPLICATION Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450		
1. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <u>92</u> ] <small>(Includes application cover page, specification, claims, and abstract)</small>		6. <input type="checkbox"/> <b>CD-ROM or CD-R</b> in duplicate, large tables or Computer Program (Appendix)		
2. <input checked="" type="checkbox"/> <b>Drawings</b> [Total Sheets <u>11</u> ]		<b>ACCOMPANYING APPLICATION PARTS:</b>  7. <input type="checkbox"/> Copy of Assignment 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) 9. <input type="checkbox"/> Power of Attorney 10. <input type="checkbox"/> English Translation Document (if applicable) 11. <input type="checkbox"/> Information Disclosure Statement/PTO-1449 <input type="checkbox"/> Copies of IDS Citations [Total Citations <u>      </u> ] 12. <input type="checkbox"/> Preliminary Amendment 13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 14. <input type="checkbox"/> Nonpublication Request under 35 USC 122(b)(2)(B)(i) (Must attach form PTO/SB/35 or equivalent). 15. <input checked="" type="checkbox"/> Authorization to Treat Reply Requiring Extension of Time as Incorporating Petition for Extension of Time 16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) 17. <input type="checkbox"/> Other: _____ _____ _____		
3. <input type="checkbox"/> <b>Oath or Declaration</b> [Total Pages <u>   </u> ]  a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20B completed)				
4. <input checked="" type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76 [Total Pages <u>2</u> ]				
5. <input type="checkbox"/> <b>Nucleotide and/or Amino Acid Sequence Submission</b> (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) <b>—OR—</b> <input type="checkbox"/> Statement under 37 CFR 1.821(e) (see Box 21 for statement) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper [Total Pages <u>      </u> ] c. <input type="checkbox"/> The contents of the computer readable form of the sequence listing and the sequence listing in the specification of the application are the same.				
18. The <b>FILING FEE</b> is calculated as follows: (Claims as filed, less any claims cancelled by Amendment)				
Claims	Number Filed	Number Extra	Rate	Basic Fee \$750.00
Total claims	112 - 20 = 91	92	x \$18.00	\$1,656.00
Independent claims	4 - 3 = 1	1	x \$84.00	\$84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 280.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$2,490.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees are reduced by 1/3.				\$1,245.00
<b>TOTAL FILING FEE =</b>				\$1,245.00

10/652622  
 08/29/03

20A.	<input type="checkbox"/>	This application is an original application ( <u>not</u> a continuation, divisional or continuation-in-part).
20B.	<input checked="" type="checkbox"/>	<p>This application is a <input checked="" type="checkbox"/> continuation-in-part / <input type="checkbox"/> continuation / <input type="checkbox"/> divisional of prior Application No. <u>09/795,897</u>.</p> <p>The prior application was assigned to Examiner <u>Richard A. Schnizer</u>, Group Art Unit <u>1635</u>.</p> <p><b>The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.</b></p> <p><input type="checkbox"/> This application is a continuation or divisional application (<u>not</u> a continuation-in-part) that:</p> <ul style="list-style-type: none"><li>(i) names as inventors the same or fewer than all the inventors named in the prior application; and</li><li>(ii) contains no matter that would have been new matter in the prior application; and</li><li>(iii) a copy of the executed oath or declaration in the prior application, showing the signature or an indication thereon that it was signed: <div style="margin-left: 40px;"><input type="checkbox"/> is enclosed. <input type="checkbox"/> will follow.</div></li></ul> <p><input type="checkbox"/> This application is a continuation or divisional application (<u>not</u> a continuation-in-part) that is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person who are not inventors of the invention being claimed in this application:</p> <p>_____</p> <p><input type="checkbox"/> This application is a continuation-in-part, continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration: <div style="margin-left: 40px;"><input type="checkbox"/> is enclosed. <input type="checkbox"/> will follow.</div></p>
21.	<input type="checkbox"/>	<p>A sequence listing in computer readable form in compliance with 37 C.F.R. §§ 1.821-1.825 was submitted on _____ in prior Application No. _____, filed _____.</p> <p>Pursuant to 37 C.F.R. § 1.821(e), applicant hereby requests that the computer readable form of the sequence listing submitted in the above-referenced prior application be used as the computer readable form of the sequence listing for the new application. The paper or compact disk copy of the Sequence Listing in the new application is identical to the computer readable copy filed in the prior application.</p>
22.	<input type="checkbox"/>	<p>This application claims foreign priority benefits under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) listed below, or under 35 USC 365(a) or 365(b) of any PCT application listed below.</p> <p>Application No. _____ Country: _____ Day/Month/Year Filed: _____</p>
23. Address all correspondence to the address associated with: <span style="float: right;">CUSTOMER NO. 23859</span>		
Name of Attorney/Agent: <u>Mark A. Murphy, Ph.D.</u>		Registration No.: <u>42,915</u>
Signature: <u>Mark Murphy</u>		Date: <u>August 29, 2003</u>
<b>Certificate of Express Mailing Under 37 C.F.R. § 1.10</b>		
I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as Express Mail, Label No. EL992019685US, in an envelope addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.		
<u>Mark A. Murphy</u> Mark A. Murphy, Ph.D.		<u>August 29, 2003</u> Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>NI <i>et al.</i></b>	)	Confirmation No: Unassigned
	)	
Serial No.: Unassigned	)	Group Art: Unassigned
	)	
Filed: August 29, 2003	)	Examiner: Unassigned
	)	
For: "DELIVERY OF PHYSIOLOGICAL	)	
AGENTS WITH <i>IN-SITU</i> GELS COMPRISING	)	
ANIONIC POLYSACCHARIDES"	)	

**AUTHORIZATION TO TREAT REPLY REQUIRING**  
**EXTENSION OF TIME AS INCORPORATING PETITION**  
**FOR EXTENSION OF TIME**

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

August 29, 2003

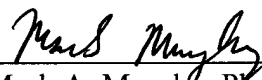
Sir:

Pursuant to 37 C.F.R. § 1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

**ATTORNEY DOCKET NO. 04137.0003U3**  
**PRIOR APPLICATION NO. 09/795,897**

Respectfully submitted,

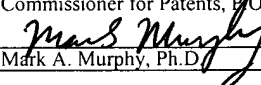
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\_\_\_\_\_  
Mark A. Murphy, Ph.D.  
Registration No. 42,915

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Customer Number 23859  
(678) 420-9300 Phone  
(678) 420-9301 Fax

**CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10**

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\_\_\_\_\_  
Mark A. Murphy, Ph.D.

Date

August 29, 2003